

Notice of Allowability

Application No.

09/609,646

Applicant(s)

TEPLER, STEVEN W.

Examiner

Kambiz Zand

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/13/2004.
2. ☒ The allowed claim(s) is/are 22-37.
3. ☒ The drawings filed on 07/03/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 05/17/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

THOMAS R. PEESO
PRIMARY EXAMINER

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 1-21 have been cancelled.
4. Claims 22 and 30 have been amended.
5. Claims 22-37, now re-numbered as claims 1-16 are pending.

Response to Arguments

6. Applicant's arguments filed 10/13/2004 have been fully considered and they are persuasive.

Information Disclosure Statement PTO-1449

7. The Information Disclosure Statement submitted by applicant on 05/17/2004 and RE34,954 to Haber has been considered. Please see attached PTO-1449.

Allowable Subject Matter

8. **Claims 22-37** are allowed.

9. The following is an examiner's statement of reasons for allowance:

The prior art's system and method singly or in combination are in contrast with specific steps of applicant's invention where a trusted time source to provide a certifiable time for an unalterable time stamp, wherein said certifiable time confirms at least one of said digital data file's access, creation, modification, receipt, or transmission; a computing means having installed therein a system clock and an operating systems means for operating said computing means; an application means running on said operating system means, wherein said application means provides an application programming interface (API) between said trusted time source and said application means, and wherein said application programming interface is adapted to select said trusted time source or said system clock in one or more instances, wherein each of said one or more instances corresponds to a request for a determination of a moment in time; means for receiving said request to save said digital data file from a user; means for determining said selection of said trusted time source to provide said determination of said moment in time; first means for saving said digital data file at said moment in time; means for retrieving from said trusted time source a date and a time corresponding to said moment in time, wherein said moment in time is substantially the a current time of said trusted time source corresponding to receipt of said request; first means for appending said date and said time retrieved from said trusted

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time source to said digital data file; first means for signing said digital data file with said date and said time retrieved from said trusted time source appended thereto; means for hashing said digital data file to produce a digest; second means for signing said digest with a key to produce a certificate; second means for appending said certificate to said digital data file; second means for saving said digital data file with said certificate appended thereto; and means for verifying trust in the content of said digital data file with said certificate appended thereto as recited in **independent claims 22 and 30.**

10. Dependent claims 23-29 and 31-37 as being dependent upon

Independent claims 22 and 30 and having additional allowable features therein.

Conclusion

11. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone


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number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3811. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

11/30/04


THOMAS R. PEESO
PRIMARY EXAMINER